

### **Washington City Council**

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www.washingtoncity.org

### Agenda Regular Meeting May 27, 2015

Present: Mayor Kenneth Neilson, Councilmen Garth Nisson, Thad Seegmiller, Ronald Truman, Jeff Turek, City Attorney Jeff Starkey, City Manager Roger Carter, City Recorder Danice Bulloch, Community Development Director Drew Ellerman, Administrative Services Manager Kimberly Ruesch, Public Works Director Mike Shaw, IT Director Steve Whittekiend, Leisure Services Director Barry Blake, Police Chief Jim Keith, Deputy Recorder Tara Pentz, Audience: Bill Hudson, Mori Kessler, Valin Tanner, Jayden Smith, Dean Wallis, Cruz Kirchhausen, Rherr Barton, Caleb Rees, Dennis Iverson, Thomas Goerke

Excused: Councilman Kress Staheli

Meeting commenced at 6:00 P.M.

**Invocation:** Councilman Turek

Pledge of Allegiance: Councilman Nisson

### 1. APPROVAL OF THE AGENDA

Councilman Truman made a motion to approve the agenda. Councilman Turek seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Truman Aye
Councilman Turek Aye

### 2. **ANNOUNCEMENTS**

None

### 3. <u>DECLARATION OF ABSTENTIONS & CONFLICTS</u>

None

### 4. CONSENT AGENDA

## **APPROVAL OF MINUTES:** Consideration to approve the minutes from the City Council Meetings of 5/12/15 and 5/13/15.

Councilman Turek made a motion to approve the consent agenda. Councilman Nisson seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye Councilman Seegmiller Ave Councilman Truman Aye Councilman Turek Ave

#### 5. PUBLIC HEARINGS AND RELATED ORDINANCES

# Public Hearing for consideration to make Internal Funds Transfer from the Sewer Fund to the Golf Course. Roger Carter, City Manager

Steve Trease stated he has seen these fund transferred through the government, and they are never replaced. He sees no resolution to the Golf Course and prolonging the death. He does not want to pay into the sewer fund to save the Golf Course. He feels there is not enough value or it would be self sufficient.

Mayor Neilson asked if he felt any Golf Course in the state is making money.

Mr. Trease stated he does not know, and he feels if it is failing, he does not want sewer money spent to save it.

Councilman Truman stated he certainly understands his position. If the Golf Course is not making money, but the same can be said for the Community Center as well as the parks.

Mr. Trease stated he knows the Community Center is not making money and it was built prematurely.

Bill Hudson stated he appreciates the magnitude of the debt. However, this is what a savings account is for. He has an issue with selling property to pay a debt, and the legislative body potentially changing their minds about where the money would go.

Councilman Truman asked if by savings account, does he mean by shrinking the budget.

Mr. Hudson agreed, the budget needs to be shrunk to include how to pay the debt without selling property to do so.

Councilman Truman asked if he feels the excess funds in the sewer account should be returned to the citizens.

Mr. Hudson stated yes, the money should go to citizens.

Dennis Iverson commented he does not believe it is unconstitutional to take money from one

area to pay for another. However, if too much money is being taken to provide sewer, it should be given back, as it is immoral to use this money for something else.

John Root stated he lives on the top of a fault. If something were to happen and the sewer lines were to shut down this money needs to be available to make repairs. If there were an emergency, such as an earthquake, the sewer would go first, not used to save a Golf Course.

Thomas Goerke stated he has lived in Washington City for some time. For him Golf is a very expensive game, and one must have the money and the time to play. It is immoral and hopefully illegal to take taxed money from the sewer fund for the Golf Course. It is not fair to the taxpayers who cannot afford to golf be responsible to pay the debt. The debt has been going on for 15 to 20 years, and should not have been allowed to go on for so long. It is not fair for the government to force taxpayers being forced to pay the debt. If there is land for sale, then the money should benefit the largest number of people possible, not to subsidise a Golf Course. He would like to know what would change from today through the next year that is going to make the Golf Course self sustaining. He and his wife are both working full-time jobs at 75 years old, and he does not feel it is his responsibility to support rich golfers when he can barely put food on the table. He does not know how many rounds of golf are played in a year, but the privileged class should pay more to golf rather than those citizens who cannot afford it.

Valin Tanner stated he agrees completely with everything that has been said. In addition, there is a huge water shortage, and Washington City is sucking more water for a recreational facility than the water probably has to keep the Golf Course running. If there is extra money, it should be spent on the people who live here. If the Golf Course cannot pay for itself, then it should be shut down. If there is this kind of excess money in the sewer fund, the last thing it should be used for is a Golf Course.

Dean Wallis believes the Golf Course is an asset. However, it should pay for itself. There are issues throughout the state with Golf Course memberships being down. He feels the Washington City Course should be leased out, so a private company can market the course to make money.

Councilman Seegmiller stated one of the biggest expenses of the Golf Course is the employees, which includes benefits and retirement, as is required by the government.

Councilman Truman stated Council has looking into privatizing the Golf Course. They are not necessarily opposed to doing so, if it could be done.

Councilman Seegmiller stated the Golf Course has been run as an enterprise fund. Many cities are operated under the general fund, which means where there is a deficit, the general fund pays for any operating expenses. The changes in the law have made the City come up with some type of solution for the enterprise find.

Councilman Turek stated part of the issue is the depreciation, which is required as it has been run as an enterprise fund. The Golf Course has basically owed other funds for many years, which was allowed by the State. Since changes were made in state law, the money has to now be trued.

Mr. Iverson stated Salt Lake City made a proposal to close three Golf Courses. He supposes

they are closing for this same reason.

Councilman Turek agreed.

Mr. Iverson remembers when the Golf Course was built it was anticipated as extra income, but his has never happened.

Councilman Turek stated initially it was anticipated to make money. However, there have been many other courses construction since then. The Golf Course is definitely still a benefit to the community, but the deficit needs to be made even.

Mr. Goerke asked if this has to be paid regardless of how the citizens feel.

Councilman Turek stated the money has been spent, and has to be paid back.

Mr. Goerke asked what Council are going to do to stop the hemorrhaging of money at the Golf Course. He would prefer the money to come out of the general fund, but it has to stop. This has been discussed for years, and it needs to stop now.

Councilman Seegmiller stated there are a number of things being done to get the Golf Course to break even. There have been a number of staff reductions, as well as full to part-time jobs. There is a 55 and older community being developed adjacent to the Golf Course, which they are discussing direct access to hopefully bring up the memberships. He would prefer not to sell the Golf Course, but rather to find ways to make the course break even.

Mr. Goerke stated his real concern is the taking of money from one area to balance the budget in another area.

Councilman Seegmiller stated the community center is subsidized by the general fund, however, it is not recognized because it is not an enterprise fund.

Mr. Goerke stated they are vastly different. Golf is a luxury item, as opposed to the community center. The community center has a wealth of options for all the residents as opposed to the Golf Course being for a specific class. He feels if salary is a big expense, there should be a way to get it down.

Councilman Seegmiller stated they have had meetings with companies who could manage the Golf Course to save money. However, not thing suitable at this time.

Mr. Goerke stated he does not feel it is his responsibility to support people's play time, when he cannot afford it.

Councilman Truman commented they have discussed many options. They are looking at solutions for the long term.

Councilman Seegmiller stated the Golf Course is a fascinating business, and they have been trying to figure out the best way to get the revenues to sustain the course.

Mr. Iverson asked what the purpose of the Legislature to change the policy.

Mayor Neilson stated he feels it is because of the new transparency act.

Caleb Rees asked if a joint venture with St. George has been considered. Therefore, all of the fees could be raised proportionally. There could be a board, which is over all of the municipally owned courses, which would give more flexibility, without driving customers to another city.

Councilman Turek commented it is an interesting concept, but not sure how it would be feasible.

Mr. Root stated when other golf courses have not been able to pay their bills, they go bankrupt. When you try something for 50 years and it does not work, you should try something different.

Jayden Smith stated it would be good to keep the sewer funds in the sewer department. If the money is taken, and a few years down the road the money is needed then interest would need to be paid.

Councilman Seegmiller stated this is one of those topics every year at election time. He would proudly say, there has been less loss of money than the previous years of him being on the Council. He appreciates the comments made tonight.

Councilman Turek stated if the transfer were to come from the sewer fund, there is still an excess in money. In addition, there have been some profitable investment made. If there were a catastrophe, then there would still be money available.

Councilman Truman stated he would prefer leaving the money in the sewer fund, and finding alternative ways to pay off the Golf Course debt.

Councilman Truman made a motion to close the public hearing. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Truman Aye
Councilman Turek Aye

# B. Public Hearing for consideration of adopting the 2015/2016 Fiscal Year Budgets for Washington City. Roger Carter, City Manager

City Manager Carter briefly reviewed the budgetary process. The Council have had previous meetings with regard to the tentative budgets. The proposed reflects a balanced budget to the Council.

Mr. Dennis Iverson asked if the Municipal Building Authority reflects the Police Building.

City Manager Carter confirmed it does reflects the police building and the Sullivan park.

Bill Hudson asked what each of the fund balances were and if the enterprise funds going into the new year.

Administrative Services Manager Kimberly Ruesch reviewed the fees with the Council.

Mr. Hudson stated the budget reflects a balanced budget, but showing an increase in the use of the fund balance. He does not understand how this can be showing balanced if money is continued to be used.

City Manager Carter stated the fund balance cannot be higher than 25%. However, the Council has set the fund balance at 18%.

Mr. Hudson stated on page 13 of the budget reflects a \$600,000 transfer, which is for the park and police station correct.

Councilman Seegmiller explained they are a debt service for those items yes.

Mr. Hudson stated he does not recall ever seeing a depreciation in the budget.

City Manager Carter stated the depreciation is not shown in the budget, but is shown in the audit, which has always been available to Council.

Administrative Services Manager Ruesch briefly reviewed the general fund amounts, along with the impact fees being used.

Mr. Hudson stated he does not understand the depreciation, which is a line item. He would like to know where the money is going because there is a line item.

Councilman Seegmiller explained the depreciation in the budget.

Administrative Services Manager Ruesch stated the money becomes retained earnings at the end of the year for the budget.

Mr. Hudson stated the power department shows no revenue for impact fees.

City Manager Carter stated their are impact fees, which may have been non-inclusive in the portion of the tentative budget.

Mr. Hudson asked about the write-offs, which were not budgeted this year.

Administrative Services Manager Ruesch explained the expense of the uncollected utility account expenses.

Council members thanked the citizens for coming to the meeting and their input.

Councilman Truman stated the budget is an opportunity for the citizens to give their input on

how they would like to see their money spent.

Mr. Gerkey asked where the budget would be obtained.

Councilman Seegmiller stated the front page of the website has a link to the budget. You can also obtain a hard copy in the City Offices.

Mr. Gerkey asked if he could receive a detailed budget for the Golf Course.

City Manager Carter stated there are several budgets for the Golf Course. The main budget has a significant amount of information, however, if he would like additional budgetary items for the course, he can contact the office and those can be obtained.

Mr. gerkey would also like to see how much the employees are making hourly, and determine if he feels it is reasonable.

City Manager Carter stated in addition, the Leisure Services Director Barry Blake, can assist with additional Golf Course information.

Mr. Gerkey stated he would not prefer to live anywhere other than Washington City. He and his family use the Community Center, and the Library, and he enjoys living here.

Councilman Turek made a motion to close the public hearing. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Truman Aye
Councilman Turek Aye

### 6. PRELIMINARY PLAT

A. Consideration to approve the preliminary plat for The Crossroads at Stucki Farms, located at approximately 4800 South 900 East. Applicant: Karl Larson

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a preliminary plat for The Crossroads at Stucki Farms subdivision, located at approximately 4800 South 900 East. The applicant is wishing to develop 65 lots on an area covering 18.9 acres. The location of this particular project is zoned Planned Community Development (PCD). The preliminary plat was originally approved back 2013, but has since expired due to lack any work done toward final plat application.

The proposed subdivision conforms to the approved PCD. The request meets the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

The Planning Commission unanimously recommended approval of the Preliminary plat for The

Crossroads at Stucki Farms subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

- 1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
- 2. That the preliminary plat conforms to the PCD Zoning approval and the Subdivision Ordinance as conditioned.

### **Conditions**

- 1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
- 2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
- 3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
- 4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
- 5. At the time of final plat submittal, the following documents shall also be submitted:
  - A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
- 6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
- 7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
- 8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
- 9. Driveway locations are to be approved by the Public Works Department.
- 10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
- 11. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Councilman Seegmiller asked if areas 6 & 7 are common area.

Community Development Director Ellerman clarified which areas are common area in the PCD.

Councilman Truman asked about the detention basins.

Community Development Director Ellerman explained as part of a PCD project, the detention has to be approved for the entire development.

Councilman Truman made a motion to approve preliminary plat for The Crossroads at Stucki Farms, located at approximately 4800 South 900 East with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Nisson seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Truman Aye
Councilman Turek Aye

# B. Consideration to approve the preliminary plat for The Homesteads at Stucki Farms, located at approximately 4900 South 700 East. Applicant: Karl Larson

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval for a preliminary plat for The Homesteads at Stucki Farms, located at approximately 4900 South 900 East. The applicant is wishing to develop 92 lots on an area covering 35.75 acres. The location of this particular project is zoned Planned Community Development (PCD). The preliminary plat was originally approved back 2013, but has since expired due to lack any work done toward final plat application.

The proposed subdivision conforms to the approved PCD. The request meets the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

The Planning Commission unanimously recommended approval of the Preliminary plat for The Homesteads at Stucki Farms subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

- 1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
- 2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

#### Conditions

- 1. A preliminary and final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
- 2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
- 3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.

- 4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
- 5. At the time of final plat submittal, the following documents shall also be submitted:
  - A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
- 6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
- 7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
- 8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
- 9. Driveway locations are to be approved by the Public Works Department.
- 10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
- 11. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Councilman Seegmiller asked about the sidewalks, which were in the previous approval.

Community Development Director Ellerman explained the plat is showing only the right-of-way, but the design guidelines have to be met, which include sidewalks.

Councilman Seegmiller made a motion to approve preliminary plat for The Homesteads at Stucki Farms, located at approximately 4900 South 700 East with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Truman seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Truman Aye
Councilman Turek Aye

### 7. PLAT AMENDMENT

A. Consideration to approve a Plat Amendment for The Casitas at Sienna Hills Phase 1, located at approximately 1860 East 925 North. Applicant: Ivory Homes

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of an Amended Final plat for The Casitas at Sienna Hills, Phase 1 subdivision, located at approximately 1860 East 925 North (within the Sienna Hills

PCD). The reason for this amendment request, is due to utility locations that are too close to the building footprints as it relates to units 9-11, 12-14, 28-30, 31-33 and 34-36.

The townhome units need to be moved to the north or south (pending which side of street they exist on) roughly 4-6 feet to give sufficient space for the buried utility lines minimum required clearance. This is the only change for this requested amendment.

Staff has reviewed the proposed amended final plat and finds it conforms to the PCD zoning that is part of this development approval. The subdivision also remains in compliance to the Subdivision Ordinance of the City.

The Planning Commission unanimously recommended approval of the Amended Final Plat for The Casitas at Sienna Hills, Phase 1 subdivision to the City Council, based on the following original findings and subject to the following original conditions:

### **Findings**

- 1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
- 2. That the amended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

### **Conditions**

- 1. All improvements shall be completed or bonded for prior to recording the final plat.
- 2. A current title report policy shall be submitted prior to recording the final plat.
- 3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
- 4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
- 5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Councilman Seegmiller asked if there is some movement in Sienna Hills and Stucki Farms.

Community Development Director Ellerman stated things are moving in both areas.

Councilman Truman made a motion to approve Plat Amendment for The Casitas at Sienna Hills Phase 1, located at approximately 1860 East 925 North with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Turek seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Truman Aye
Councilman Turek Aye

### 8. AWARD OF BID & RFP

# A. Consideration to award the bid for the Warm Springs Detention Basin drainage improvements 2015. Lester Dalton, Assistant Public Works Director

Public Works Director Mike Shaw reviewed the bids for the Warm Springs Detention Basin. The recommendation would be to award the project to the low bidder, JP Excavating in the amount of \$277,081.55.

Councilman Seegmiller made a motion to award the bid for the Warm Springs Detention Basin drainage improvements 2015 to JP Excavating in the amount of \$277,081.55. Councilman Nisson seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Truman Aye
Councilman Turek Aye

# B. Consideration to award the bid for the Independent Audit contract. Kimberly Ruesch, Administrative Service Manager

Administrative Services Manager Kimberly Ruesch reviewed the bids for the Independent Audit Contract. The recommendation would be to award the Independent Audit Contract to Hinton Burdick CPA for 2015 - 2019 based on a previously determined scoring system.

Councilman Truman asked if there would be a reason for using a 5 year contract.

Administrative Services Manager Ruesch stated the initial setup for the CPA firm comes in the first and second year. It is the recommendation from the State Auditor's Office to use a 5 year contract.

Councilman Seegmiller made a motion to award the bid for the Independent Audit Contract to Hinton Burdick CPA for a period of 5 years. Councilman Truman seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye
Councilman Seegmiller Aye
Councilman Truman Aye
Councilman Turek Aye

### 9. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Councilman Truman thanked Staff for all of their efforts in the putting together the annual budget. As he has sat here and reviewed the many pages of documentation, he has realized how much time and effort is put into the budget.

### 10. CITY MANAGER REPORT

City Manager Roger Carter stated the Sullivan Park is under construction, and we are expecting completion in October. The contracts are being completed for the Police Building, and construction should begin in 30 days. The light at 2000 South and Washington Fields should start flashing Thursday or Friday, to get drivers accustomed to driving, then the full signal will begin.

Councilman Truman asked when the widening will begin on Lost Ridge Drive and Majestic Drive.

Public Works Director Mike Shaw stated the priority is to complete 3090 South. However, if there is any money left in this budget, they will work toward the widening.

City Manager Carter stated they are concluding the acquisition on the right-of-way for 3650 South, so the widening can take place.

### 11. ADJOURNMENT

Councilman Turek made a motion to adjourn the meeting. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson	Aye
Councilman Seegmiller	Aye
Councilman Truman	Aye
Councilman Turek	Aye

Meeting adjourned at 8:01 P.M.

Passed and approved this 10th day of June 2015.

Washington City

enneth F. Neilson, Mayor

Attest by:

Danice B. Bulloch, City Records



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